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Date: **January 8, 2004**From: **David A. Jakopin**

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Total Pages: **-4-**  
(Including cover)

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To:

Company: **U.S. Patent & Trademark Office**

FAX NO.

703-872-9306

**Serial No. 09/941,360**  
**Filed August 28, 2001**  
**Talieh et al.**

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ATTACHMENTS:

1. **REQUEST FOR REFUND**
2. **Copy of IDS Transmittal mailed 08/12/2003**

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Operator: **Kathleen Smith 650-233-4575**

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re PATENT APPLICATION of  
**Talieh et al.**

Atty. Docket No. 042496-0269250  
Client Ref NT-004-D

Appln. No. 09/941,360

Group Art Unit: 1742

Filed: August 28, 2001

Examiner: D. Valentine

Title: **Method and Apparatus for Plating and Polishing A Semiconductor Substrate**

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via facsimile to 703-872-7306, Commissioner for Patents, Washington D.C. on January 8, 2004.

By Kathleen M. Smith  
Kathleen M. Smith

**REQUEST FOR REFUND**

**Excess Fees Charged To Deposit Account**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants request a refund of a petition fee improperly charged to counsel's Deposit Account 03-3975 on August 18, 2003. The charge data is as follows:

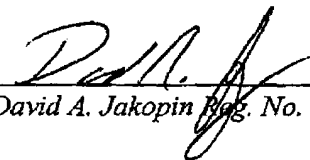
| <u>Date</u> | <u>Sequence</u> | <u>Fee Code</u> | <u>Charge</u> |
|-------------|-----------------|-----------------|---------------|
| 08/18/2003  | 113             | 1460            | \$130.00      |

Applicants authorized the petition fee be charged in connection with the Information Disclosure Statement mailed August 12, 2003, only on the condition that a Final Rejection or Notice of Allowance preceded or was the same date as the filing date of the IDS. A copy of the IDS Transmittal is attached.

Furthermore, the IDS was submitted within three months of the date of the corresponding European Examination Report, and the prior Office Action of July 2, 2003 was a non-final communication. None of the criteria applied that would have incurred the petition fee.

Please credit a refund to counsel's Deposit Account 03-3975 (Order No. 042496/0269250) in the overcharged amount of \$130.00.

Respectfully submitted,

  
David A. Jakopin Reg. No. 32,995

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